

BOARD OF DIRECTORS – ACTION SUMMARY

Wednesday, December 8, 2004 – 6:00 p.m.

**Administration Building
2101 Hurley Way, Sacramento, CA**

CALL TO ORDER

The meeting was called to order by President Jones. Board Members present: Duveneck, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley. Staff: Fire Chief Martinez, Board Clerk Tilson, General Counsel Price

PLEDGE TO FLAG

PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN DISTRICT JURISDICTION INCLUDING ITEMS ON OR NOT ON THE AGENDA

None

AWARDS – (Jones)

1. Board Recognition of Employees – District 2003 Historical Yearbook

On behalf of the Board of Directors, President Jones congratulated all participants and presented a plaque to each of the following who were present in recognition of their dedicated efforts in producing the 2003 Metro Fire Historical Yearbook, a unique and exceptional portrait of our organization captured from its beginnings through the present:

Inspector II Kimberly Angelo
Retired Director/Arcade Volunteer Dick Crooks
Battalion Chief James T. Eastman, Jr.
Logistics Technician Gary A. Lascelles
Captain Henry Ogg
Captain Randall C. Wooton, Committee Chair

Recipients of plaques not present:

Captain Rennie James
Retired Battalion Chief Wes Schultz
Captain Darren Taylor

Letters of recognition were sent on behalf of the Board to the following employees for their help in production of the Yearbook:

Fire Chief Rick Martinez
Battalion Chief Dennis Gramith
Captain Dennis Darnell
Captain Randy Johnson
Captain Ron Pierce
Engineer Fred Phelps
Firefighter Kimberly DeWein
Firefighter Tracey Valentine
Inspector II Amy Nygren
Secretary Debbie Babin
Assistant Chief Mark Cooper
Office Tech Gayle Ferguson
Captain Jeff Routsong
Firefighter Troy Thompson

Deputy Chief Jim Ritter
Assistant Chief Dan Haverty
Captain Jay Darnell
Captain Frank Lima, Jr.
Captain Steve Turner
Engineer Robert Werner
Firefighter Kyle Thomas
Office Manager Marilyn Guinn
Admin Coordinator Barbara Safford
Accounting Tech Jill Connor
Office Tech Lara Kelley
Battalion Chief Geoff Miller
Captain Kevin Thompson

CONSENT AGENDA:

1. **Board Meeting Action Summary—November 10, 2004**

- **Board Action:**
Engellenner/Granados—approve the Consent Agenda. Directors Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Duveneck, abstaining. Motion carried.

ACTION ITEM(S)

1. **General Election Results—November 5, 2002—(Tilson)**

A. **Board Members—Divisions 2, 4, 5, 6, 7 and 8**

In accordance with Elections Code §15400, the official election results of the November 2, 2004, General Election from the Sacramento County Office of Voter Registration and Elections for the positions of Director for the following District Divisions were declared:

VOTES CAST

DIVISION 2:

Joe Gibson	5,940
* Grant B. Goold	12,580

DIVISION 4:

* Gregory A. Granados	10,641
Gregory H. Hoeger	4,862

DIVISION 5:

Joe Anderson	7,923
* Thomas J. Lawson	8,914
James R. Vanderveen	7,145

DIVISION 6:

Rich Allen	8,446
* Mike Duveneck	10,259
David Henry Strader	1,625

DIVISION 7:

* Matt Kelly	13,778
Peter Tateishi	9,526

DIVISION 8:

Karl Bik	6,114
* Gay Jones	14,442

* CANDIDATE ELECTED

- Recommend the Board approve the declared election results certified by the Sacramento County Registrar of Voters.
- **Board Action:**
Kelly/Trujillo—approve the November 2, 2004, General Election results. Directors Duveneck, Engellenner, Goold, Granados, Kelly, Lawson, Trujillo, Valley, Jones, AYE. Motion carried unanimously.

2. Election of Board Officers—(Jones)

The election of Board Officers was held with the following results:

President	-	Gregory A. Granados
Vice President	-	H. Peter Engellenner
Secretary	-	Matt Kelly

3. Ranking of Battalion Chief's List—(Trujillo)

- Director Trujillo stated he distributed a report at the last meeting listing comparable fire agencies, all with a ranked Battalion Chief's list with the exception of the City of Sacramento and Metro Fire and felt our list should be ranked.
- Director Granados stated the Policy Committee at a previous meeting unanimously supported ranking with the rule of three retroactive to the current list.

- Considerable discussion was held on the different qualifications of a Battalion Chief versus Engineers and Captains to include personnel management and analytical skills versus technical skills.
- Fire Chief Martinez stated for clarification that we have written letters of agreement from both Local 228 and Local 522 waiving their right to meet and confer on the ranking and supporting the rule of three.

The current list can be ranked with the scores released to only the individual, consistent with the established criteria for the Engineers and Captains. Enhancement of the assessment center process will ensure the desired critical skill set elements.

Cooperative Personnel Services (CPS) performs the testing and there is a question on the confidentiality of the individual scores and posting.

Pat Monahan of Local 522 spoke in favor of ranking the Battalion Chief list with the rule of three consistent with the entire promotional testing process for the Engineers and Captains. He acknowledged the qualifications are different but that is why there is a testing process.

- CPS to send a validated copy of the current CPS list to Director Granados.
- **Board Action:**
Trujillo/Lawson—rank the Battalion Chief's list with the rule of three consistent with the Engineers and Captains. Directors Engellenner, Gould, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Director Duveneck, NO. Motion carried 8 - 1.

General Board consensus that the action be applied to the current Battalion Chief's list.

4. McClellan Park Contract for Fire Services—(Latta)

- A five-page staff report accompanied by the contract between the County of Sacramento and Sacramento Metropolitan Fire District for airfield and structural fire protection services for McClellan Park and McClellan Airport was submitted. The District is a subcontractor to the County for services to the Coast Guard.

- Complete background history provided. Current contract expired but the U. S. Coast Guard evaluated its options and decided to remain at McClellan with the District to continue providing the fire protection services. The County Board of Supervisors approved the contract on November 23, 2004 retroactive to October 1, 2004 through September 30, 2009, with an option by the Coast Guard to discontinue their contract at any time.
- Staff recommends the Board approve the contract for services and authorize the Board President to sign.
- Fire Chief Martinez stated this is a significant contract and acknowledged the efforts of Assistant Chief Latta with the assistance of Battalion Chiefs Mugartegui and Turner.
- **Board Action:**
Goold/Engellenner—approve the staff recommendation. Directors Duveneck, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Motion carried.

5. Bid Award – Oxygen Generator-Filling Station—(Connor)

- In response to a Request for Bids including specifications, the following bid was received:

Bauer San Francisco	\$ 53,898.50
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Staff evaluated the bid, and Bauer San Francisco meets all of the required specifications.
- Staff recommends the Fire Chief be authorized to contract with Bauer San Francisco for the purchase and delivery of one (1) Oxygen Generator/Fill Station.
- **Board Action:**
Trujillo/Engellenner—approve the staff recommendation. Directors Duveneck, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Motion carried.

6. Bid Award – 2005 Ford Motor Vehicles—(Ritter)

- The Vehicle Replacement Master Plan adopted by the Board for Fiscal Year 2004/2005 authorized the purchase of ten support vehicles.
- Staff recommends the following ten vehicles be purchased from Folsom Lake Ford, the lowest responsible bidder:

Number of Vehicles	Vehicle Type	Bid Price	Total
1	Explorer	\$28,596.46	\$28,596.46
1	F-150 Super Crew	\$21,305.02	\$21,305.02
2	Expedition 4X4	\$28,996.22	\$57,992.44
1	Excursion 4X4	\$34,714.51	\$34,714.51
2	Crown Victoria	\$22,148.70	\$44,297.40
3	Taurus	\$14,338.98	\$43,016.94
10		Total	\$229,922.77

- **Board Action:**
Lawson/Engellenner—award the bid for purchase of ten support vehicles to Folsom Lake Ford in the amount of \$229,922.77. Directors Duveneck, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Motion carried.

7. Audit Proposal for Fiscal Year Ending June 30, 2004—(Houghton)

[Taken out of order after Action Item No. 2]

- A two-page staff report accompanied by the audit proposal/engagement letter from the County of Sacramento for the Fiscal Year ending June 30, 2004 was submitted.
- The County has performed a full financial audit of the District's financial records on an annual basis for the past ten years.
- The County of Sacramento is a governmental agency and the district is not required to use the formal competitive bidding process to obtain their auditing services in accordance with the District's Purchasing and Contracting Policy.

- Recommends the Board accept the proposal for auditing services from the County of Sacramento in the amount of \$44,000 for the fiscal year ending June 30, 2004, and authorize the Fire Chief to sign necessary documents pertaining to auditing services with the County of Sacramento

Discussion

- Counsel Price provided clarification that the District Policy tracks the County's Purchasing Policy. The personal services limit is \$35,000 but there is an exception that if we are utilizing other governmental services, there is no requirement to go out to bid.
- Due to a time constraint to meet the March 31 deadline for the bond issue reporting requirements, the audit commenced mid-November to enable timely completion.

Director Trujillo acknowledged the time constraint but recommended in the future that the audit proposal be brought before the Executive Board for approval prior to commencement.

Fire Chief Martinez concurred.

- Concerns were expressed for maintaining a 5% Contingency Reserve in the budget and utilization of a neutral party with no financial interest in the District to perform audits.
- Alan Matré, Chief of Audits for the County of Sacramento, stated the District's audit is performed in accordance with the Government Auditing Standards. The Auditor/Controllers within the State of California have an exemption from Government Auditing Standards Amendment 3 as long as the audit staff within the Auditor/Controller's office is completely separate from all other functions. His staff is completely independent and performs audits exclusively with no other accounting or treasury functions for the County.
- In response to Director Lawson, Mr. Matré invited the Board to meet with him or submit any questions of concern or requests for specific tasks. Any agreed upon procedure will be worked on separately if scheduling permits with a report back.

- **Board Action:**

Goold/Duveneck—approve the staff recommendation. Directors Duveneck, Engellenner, Goold, Granados, Jones, Kelly, Lawson, Trujillo, Valley, AYE. Motion carried.

- Finance Director Houghton to send a copy of the Policy exception to Director Granados.

8. December Board Meeting Schedule—(Jones)

- **Board Action:**
General consensus to hold the regularly scheduled Board meeting of December 22, 2004.

9. Resolution No. 54-04—Industrial Disability Retirement Application-Fire Engineer Timothy L. Martin—(Appel)

[Considered after the Closed Session]

- Work related injury precluding performance of duties in the position of Fire Engineer.
- Application filed with the Public Employees' Retirement System.
- Recommend approval; retirement effective December 17, 2004.
- **Board Action:**
Kelly/Lawson—adopt the Resolution. Directors Granados, Kelly, Lawson, Trujillo, Valley, Jones, AYE. Directors Duveneck, Engellenner, Goold, absent. Motion carried.

PRESENTATION ITEM(S)

1. Fire Station Replacement Program Status Report—(Horel)

- A five-page staff report was submitted outlining the status of Phase I of the Fire Station Replacement Program for the construction of eight new fire stations at various locations throughout the District.

Anticipate bid results to the Board in March on the first two projects of Phase I, Stations 32 and 107, with construction to start immediately.

The cost estimate to acquire real property and complete the design and construction of these 8 fire stations was estimated to be approximately \$40 million total in March of 2003. Since that time, real property has been acquired for 6 of the 8 project locations, and designs for the first two fire stations are nearing completion. The total cost for the completion of all 8 fire stations in Phase I is now estimated to be approximately \$51.9 million, an increase of \$11.9 million (30%), with acquisition costs accounting for \$6.4 million (16%) of the total increase and construction costs accounting for \$5.5 million (14%) of the total increase.

- Conditional use permit applications to be submitted to the County in January for Stations 111, 42, and 29. Community informational forums were conducted at each location.
- Fiscal impact was reviewed with an estimated \$15.7 million available for the program in the current year. Approximately \$30 million in additional funds is necessary to complete construction of the remaining six stations.
- Options to address the funding situation include modifying the construction schedule to be on a pay as you go basis or to explore alternative funding options to finance the improvements (debt finance). The primary source of revenue for the program is the Impact Revenue Fee, which is a sustainable source as development occurs throughout the service area in the District.

This issue will be the subject of a staff presentation with recommendations to remain cost neutral at a future Board meeting in early 2005.

Discussion

- MFDB provided the cost estimates, with Vanir in agreement following a review.
- In response to Director Kelly, Mr. Horel to provide some comprehensive cost comparisons of like structures.
- The accelerated cost of building materials account for the major increase. Modifications to the restrooms and dorms were a contributing architectural factor but an important addition to the overall living standard.
- Director Lawson stated any further architectural changes will increase cost and expressed a need to move forward.

General Board consensus to stay on track.

- On behalf of the Board, President Jones thanked Mr. Horel for his presentation.

2. 2004 Fireworks Report—(Dobson)

- **Board Action:**
General consensus to move the presentation to the December 22, 2004 Board meeting.

3. Former North Highlands Employees Retirement Benefits—(Appel)

- A two-page staff report was submitted. As reported at the Board meeting on November 11, 2004, SCERS notified the District that the former North Highlands active employees were not included under the resolution adopted by the Board on October 6, 2004.
- The cost for including the former North Highlands active employees District service prior to June 29, 2003, under the 3% @ 50 retirement benefit formula is an additional \$69,600.

Also proposing an option for the CalPERS members to buy prior public service credit such as Peace Corps at the employee's cost.

- A two-week notice is required prior to adoption. Recommend at the next regular Board meeting, the Resolution be adopted to include service credit, prior to June 29, 2003, for the former North Highlands employees, under the 3% @ 50 formula to enable SCERS members to purchase statutorily authorized prior public services credit, at the employee's expense.

4. Proposition 1A—Impact on District Revenues—(Appel)

- **Board Action:**
General consensus to move the presentation to the December 22, 2004 Board meeting.

5. SCA1—Proposition 59: Public Records and Open Meetings—(Price)

- **Board Action:**
General consensus to move the presentation to the December 22, 2004 Board meeting.

PRESIDENT'S REPORT—(Jones)

- Thanked the Board for the learning experience during the last six months.
- Welcomed all the new Executive Board members.

FIRE CHIEF'S REPORT—(Martinez)

- Santa Night program will be underway December 10. An e-mail was distributed to the Board with a contact phone number for the coordinator, Steve Campbell at Station 108, for the schedule.
- The written Final Fire Investigator Program report is anticipated for distribution to the Board by mid-January.

GENERAL COUNSEL'S REPORT—(Price)

None

COMMITTEE AND DELEGATE REPORTS:**Executive Committee—(Jones)**

- Next meeting: TBA

Communications Center Delegate—(Engellenner)

- Local 228 membership to vote on the contract distributed to the Board.
- Report on the reconstruction of the Admin area distributed – now on track.
- Comm Center Manager was given the option to extend the one-year probation period by 120 days for a couple employees.
- Next Meeting: December 28, 2004 – 10:30 a.m.

California Fire & Rescue Training Authority—(Goold)

- Next meeting: TBA

Finance Committee—(Jones)

- Next meeting: December 22, 2004 – 5:00 p.m.

Policy Committee—(Granados)

- Reported on today's meeting. Received a briefing on the 2005 fireworks statistics.
- Next meeting: January 12, 2005 – 5:00 p.m.

BOARD MEMBER QUESTIONS AND COMMENTS:**Board:**

- Thanked Director Jones for her past leadership as President and expressed sincere appreciation.
- Extended wishes to everyone for a Happy Holiday Season.

Trujillo:

- Thanked Mr. Horel, Chiefs Hartley and McDonald for the presentation at Station 29 on the planned replacement fire station.
- Requested Fire Chief Martinez provide the Board with a copy of the policy on the use of District Vehicles.

Kelly:

- Encouraged everyone to help the less fortunate during this Holiday Season.

- Thanked Fire Chief Martinez for attending the party sponsored by the Building Trades.

Engellenner:

- Attended the community meeting hosted by Mr. Horel on December 30 at Station 111.
- Attended the luncheon of the Rio Linda-Elverta Historical Society on Sunday, December 5.

A meeting is scheduled with the Historical Society on Tuesday, January 25, 2005 at 1:30 p.m., train station across from Station 111. Requested Fire Chief Martinez or Deputy Chief Plessas to accompany him.

Directors Duveneck, Engellenner, and Goold left at 9:15 p.m.

CLOSED SESSION 9:15 PM**RECONVENE TO OPEN SESSION 9:30 PM**

Report by General Counsel Price on the following:

CLOSED SESSION GOVERNMENT CODES:**1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

Pursuant to California Government Code Section 54956.9(a) – One (1) Case

Tim Martin vs. Sacramento Metropolitan Fire District
WCAB SAC 032291

The Board reviewed the medical basis for this industrial disability retirement.

The Resolution for consideration is under Action Item No. 9.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9 – One (1) Case

Claim Against Public Entity Pursuant to Government Code Section 910 by James S. Lewis

- **Board Action:**
Granados/Jones—deny the claim. Directors Granados, Kelly, Lawson, Trujillo, Valley, Jones, AYE. Directors Duveneck, Engellenner, Goold, absent. Motion carried.

ADJOURNMENT: The meeting was adjourned at 9:35 p.m.

Gay Jones, President

H. Peter Engellenner, Secretary

Charlotte Tilson, Clerk of the Board